

## REMARKS/ARGUMENTS

Drawings were objected to because in Figure 5, the box labeled "Determining ..." should have been referred to using the reference number '540' and not '530'. As such, Figure 5 has been replaced to overcome this informality.

Furthermore, Figure 6 was objected to because element 600 was not described in the specification. As such, the specification has been amended in order to overcome this informality.

Accordingly, the Applicants respectfully request the withdrawal of the above referenced objections.

### Claim rejections 35 USC § 102

Claims 1, 7-9, 11, 15-16, 18-19, 22 and 25-26 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Kissel (U.S. Patent No. 5,744,932) (hereinafter Kissel). Applicants respectfully traverse the rejection.

Independent Claim 1 recites (emphasis added):

"An electronic system comprising:  
a sensor for coupling to a battery string at a single point for sensing a signal; and  
a logic circuit coupled to said sensor and for detecting a battery failure of said battery string and, in response thereto, said circuit for automatically generating a message over a communication network indicating and describing the failure of said battery string."

As such, generating a message that indicates and describes the failure of the battery string, eliminates the need for an on site technician and limits the need to call a technician to when an actual service is needed (e.g., to replace the malfunctioning battery).

Kissel discloses that the remote indicator alerts supervisory personnel through a mere audible or visible alarm. (See Kissel, col. 5, lines 9-10). As such, Kissel does not generate a message as claimed but rather requires a technician to be physically present at the scene in order to hear or to see the alarm go off. Kissel further discloses that an AC current probe is connected between the rectifier and the backup batteries. (See Kissel, col. 4, lines 53-55). As such, Kissel does not disclose how such connection is made (e.g., at a single point or at multiple points).

In contrast, independent Claim 1 distinguishes over Kissel by reciting a sensor for coupling to a battery string at a single point and by further reciting generating a message indicating and describing the failure of said battery string. In contrast, Kissel does not generate a message but rather requires a technician to be physically present at the scene in order to hear or to see the alarm go off. Furthermore, the Applicants have found no teaching in Kissel with regards to a battery string being coupled at a single point. Accordingly, Kissel does not disclose generating a message indicating and describing the failure of said battery string nor does it disclose a sensor for coupling to a battery string at a single point, as claimed.

Accordingly, Kissel does not teach or suggest the limitations of independent Claim 1, hence independent Claim 1 is not anticipated by Kissel under 35 U.S.C. 102(b). Claims 7-9 depend from independent Claim 1 and are therefore patentable, under 35 USC 102(b), over Kissel at least for the same reasons that independent Claim 1 is patentable.

Moreover, Claim 8 recites detecting failure in a rectifier of said UPS circuit. Kissel on the other hand discloses monitoring the condition of backup batteries

as well as monitoring the condition of backup batteries associated with an on-line UPS. (See Kissel, Abstract). The Applicants have found no teaching in the Abstract and no suggestion in Figure 1 of Kissel for detecting a failure in a rectifier of the UPS circuit. As such, Kissel does not disclose detecting failure in a rectifier of said UPS circuit, as claimed.

As such, allowance of Claims 1 and 7-9 is earnestly solicited.

Independent Claim 11 is similar in scope to independent Claim 1 and is therefore patentable over Kissel, under 35 U.S.C. 102(b), at least for the same reasons that Claim 1 is patentable. Claim 15 depends from independent Claim 11 and is therefore patentable, under 35 USC 102(b), over Kissel at least for the same reasons that independent Claim 11 is patentable. As such, allowance of Claims 11 and 15 is earnestly solicited.

Independent Claim 16 is similar in scope to independent Claim 1 and is therefore patentable over Kissel, under 35 U.S.C. 102(b), at least for the same reasons that Claim 1 is patentable. Moreover, independent Claim 16 recites a plurality of batteries coupled in series. Kissel on the other hand only teaches backup batteries. The Applicants have found no specific teaching in Kissel suggesting that batteries are coupled in series as claimed. As such, Kissel does not disclose a plurality of batteries coupled in series, as claimed. Claims 18-19 depend from independent Claim 16 and are therefore patentable, under 35 USC 102(b), over Kissel at least for the same reasons that independent Claim 16 is patentable. As such, allowance of Claims 16 and 18-19 is earnestly solicited.

Independent Claim 22 is similar in scope to independent Claim 1 and is therefore patentable over Kissel, under 35 U.S.C. 102(b), at least for the same reasons that Claim 1 is patentable. Claims 25-26 depend from independent Claim 22 and are therefore patentable, under 35 USC 102(b), over Kissel at least for the same reasons that independent Claim 22 is patentable. As such, allowance of Claims 22 and 25-26 is earnestly solicited.

Claim rejections  
35 USC § 103

Claim 28 was rejected under 35 USC 103(a) as being allegedly unpatentable over Kissel. Applicants respectfully traverse the rejection.

Independent Claim 28 recites (emphasis added):

“A method for monitoring a battery system comprising:  
sensing at a single point of said battery system a signal thereof;  
automatically determining a normal operating range of said signal over a period of time;  
recording in a memory a threshold value indicative of said normal operating range; and  
determining that said signal exceeds said threshold value and  
automatically generating a failure message over a communication network indicating and describing the failure of said battery string in response thereto.”

Kissel discloses that the remote indicator contains means for setting a pre-selected high and low AC current amplitude limit defining the range that an alarm condition is indicated. (See Kissel, col. 5, lines 1-8). As such, Kissel does not disclose automatically determining a normal operating range over a period of time but rather discloses pre-selecting a high and low AC current amplitude limit, suggesting that any limit is determined manually and not over a period of time. Moreover, Kissel discloses that once the nominal AC current level that exists within the properly working backup batteries is determined, the battery monitor

pre-selected limits are adjusted. (See Kissel, col. 5, lines 15-18). The Applicants have found no teaching in Kissel suggesting that the adjustment is done automatically or that determining nominal AC current level is over a period of time.

As discussed above, Kissel does not disclose sensing at a single point nor does Kissel disclose automatically generating a failure message indicating and describing the failure of said battery string, as claimed. Independent Claim 28 further distinguishes over Kissel by reciting automatically determining a normal operating range of said signal over a period of time. In contrast, Kissel discloses pre-selecting high and low AC current amplitude limit, suggesting that the limit is determined manually and not over a period of time, and that once the nominal AC current level is determined the pre-selected limits are adjusted. As such, Kissel does not disclose automatically determining a normal operating range of said signal nor does Kissel disclose determining the operating range over a period of time, as claimed.

Accordingly, independent Claim 28 is not rendered obvious, under 35 U.S.C. 103(a), over Kissel. As such, allowance of Claim 28 is earnestly solicited.

Claims 2-6, 12-14, 17, 21, 23-24 and 29-32 were rejected under 35 USC 103(a) as being allegedly unpatentable over Kissel in view of Simonsen (U.S. Pat. No. 5,047,961) (hereinafter Simonsen). Applicants respectfully traverse the rejection.

Claims 2-6 depend from independent Claim 1, Claims 12-14 depend from independent Claim 11, Claims 17 and 21 depend from independent Claim 16, Claims 23-24 depend from independent Claim 22 and Claims 29-32 depend from

independent Claim 28. As such, the dependent claims include the limitations of their independent claims respectively.

As discussed above Kissel does not disclose generating a message indicating and describing the failure of said battery string; nor does it disclose a sensor for coupling to a battery string at a single point; nor does it disclose detecting failure in a rectifier of said UPS circuit; nor does it disclose a plurality of batteries coupled in series nor does it disclose automatically determining a normal operating range of said signal over a period of time, as claimed. The Applicants do not understand Simonsen to disclose or teach these limitations that were not disclosed in Kissel.

Accordingly, the combination of Kissel and Simonsen does not render Claims 2-6, 12-14, 17, 21, 23-24 and 29-32 obvious under 35 U.S.C. 103(a). As such, allowance of Claims 2-6, 12-14, 17, 21, 23-24 and 29-32 is earnestly solicited.

Claims 10, 20, 27 and 33 were rejected under 35 USC 103(a) as being allegedly unpatentable over Kissel in view of Hammond (U.S. Pat. Publication 2002/0138775) (hereinafter Hammond). Applicants respectfully traverse the rejection.

Claim 10 depends from independent Claim 1, Claim 20 depends from independent Claim 16, Claim 27 depends from independent Claim 22, and Claim 33 depends from independent Claim 28. As such, the dependent claims include the limitations of their independent claims respectively.

As discussed above Kissel does not disclose generating a message indicating and describing the failure of said battery string; nor does it disclose a

sensor for coupling to a battery string at a single point; nor does it disclose detecting failure in a rectifier of said UPS circuit; nor does it disclose a plurality of batteries coupled in series nor does it disclose automatically determining a normal operating range of said signal over a period of time, as claimed. The Applicants do not understand Hammond to disclose or teach these limitations that were not disclosed in Kissel.

Accordingly, the combination of Kissel and Hammond does not render Claims 10, 20, 27 and 33 obvious under 35 U.S.C. 103(a). As such, allowance of Claims 10, 20, 27 and 33 is earnestly solicited.

For the above reasons, Applicants request reconsideration and withdrawal of these rejections under 35 U.S.C. 102(b) and 35 U.S.C. §103.

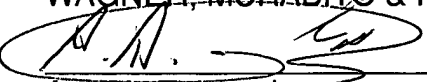
CONCLUSION

In light of the above listed remarks, reconsideration of the rejected Claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-33 overcome the rejections and objections of record and, therefore, allowance of Claims 1-33 is earnestly solicited.

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